

## REMARKS

Claims 1-28 have been cancelled, and new claims 29-44 submitted for further examination.

### Claim Objections

The claim objections are believed moot in light of the present amendment.

### Claim rejections 35 USC §112

The claim rejections under §112 are believed moot in light of the present amendment.

### Claim rejections 35 USC §103

New claims 29,30,35, 36/29, 36/30, 37/29, 37/30, 38/29, 38/30, 39/29, 39/30

The cited art, as well as the art cited in the specification, disclose layered structural elements in which a cementitious material is arranged between metal sheets. The cited art does not disclose the use of Ultra Light Weight Cement (ULWC) having a density of less than  $1200 \text{ kg/m}^3$ . It is respectfully submitted as well known to one skilled in the art of ship construction that structural elements for marine vessels are subjected to unique forces and stresses not experienced by land-based, static constructions. With respect to the above-identified claims, it is believed that one skilled in the art would have held the belief that ULWC would lack the strength and properties necessary to effectively functions as a structural element for a marine vessel. The cited art does not suggest the use of such ULWC. It is respectfully belied that the use of this specialized material in the unique environment of marine construction is not merely a matter of "design

choice". In order to be considered a "design choice", the options from which one skilled in the art chooses must be recognized as legitimate, available alternatives for the use in question. It has respectfully not been established that ULWC was considered by one skilled in the art as a recognized alternative for marine a marine structural element as claimed, in particular for such a demanding application as a ship's hull or bulkhead.

With regard to the remaining claims, no combination of the cited art results in the features of the elongated channels, with the various additional limitations of the channels being load bearing, the spacers for centring the channels, the channels being closed and used as compartments for storage of liquids such as ballast water and or fuel. A *prima facie* case of obviousness has therefore not been established with regard to these claims

The method claims are directed to a method for retrofitting structural elements in an existing vessel. Such a vessel would already have been constructed using parameters for a certain weight of the structural elements used in the original construction. Any retrofitting would therefore be weight-critical. The cited art does not suggest that it is possible to retrofit structural elements in such a weight-critical situation using a cement-layer technique as claimed. The prior art use of regular cement would in fact teach away from such a technique, as the weight of the cement from such art would be prohibitive and likely result in a construction outside the weight parameters for the vessel. The claims directed to the retrofitting of corrugated structures are likewise not believed suggested by the cited art.

#### Conclusion

For the foregoing reasons, favourable reconsideration is respectfully solicited